

THURSDAY, MARCH 30, 1995

TWENTY-SEVENTH LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Mark Massey, West Fayetteville Church of Christ, Fayetteville, Tennessee.

Representative Phillips led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present ..... 95

Representatives present were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kernell, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Kent; family illness.

Representative Kerr; business reasons.

Representative Jackson; business reasons.

Representative Robinson; death in family.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Joint Resolution No. 14:** Rep(s). Roach and Buck as prime sponsor(s).

**House Bill No. 584:** Rep(s). Fitzhugh, Callicott, Roach, Head, Hargrove, Boyer, Williams(Union), Bragg, Ridgeway, Davis, Turner(Hamilton), Duer, Stulce, Lewis and Patton, as prime sponsor(s).

**House Bill No. 1097:** Rep(s). Williams((Union) as prime sponsor(s).

**House Bill No. 1134:** Rep(s). Head as prime sponsor(s).

**House Bill No. 1175:** Rep(s). Davidson, Callicott, Curtiss, McDonald and Head as prime sponsor(s).

**House Bill No. 1401:** Rep(s). Whitson as prime sponsor(s).

**MESSAGE FROM THE SENATE**  
**March 30, 1995**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 19, 104, 126, 129, 133, 134, 135, 136, 137 and 138; all adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**\*Senate Joint Resolution No. 19 --** General Assembly, Statement of Intent or Position -- Opposes issuance of federal mandates which are beyond scope of Tenth Amendment of U.S. Constitution. by \*Wright, \*Leatherwood, \*Henry, \*Kyle.

**\*Senate Joint Resolution No. 104 --** Memorials, Congress -- Urges Congress to stop passing laws to withhold federal funds unless states enact specific laws to implement federal mandates. by \*Cohen, \*Henry, \*Springer.

**Senate Joint Resolution No. 126 --** Memorials, Death -- Herbert Dean "Buck" Ross. by \*Henry, \*Atchley, \*Burks, \*Carter, \*Cohen, \*Cooper, \*Crowe, \*Crutchfield, \*Dixon, \*Elsea, \*Ford J, \*Fowler, \*Gilbert, \*Hamilton, \*Harper, \*Haun, \*Haynes, \*Holcomb, \*Jordan, \*Koella, \*Kyle, \*Leatherwood, \*McNally, \*Miller J, \*O'Brien, \*Person, \*Rice, \*Rochelle, \*Springer, \*Wallace, \*Wilder, \*Womack, \*Wright.

**Senate Joint Resolution No. 129 --** Memorials, Death -- Richard M. "Pek" Gunn, Tennessee Poet Laureate. by \*Springer, \*Henry, \*O'Brien, \*Harper, \*Rochelle, \*Cohen.

**Senate Joint Resolution No. 133 --** Memorials, Public Service -- UPS Foundation for grant to Memphis Food Bank; West Tennessee District UPS employees for charitable contributions. by \*Dixon, \*Kyle, \*Cohen.

**Senate Joint Resolution No. 134 --** Memorials, Academic Achievement -- Amanda Leckner, Valedictorian, Gordonsville High School. by \*Rochelle.

**Senate Joint Resolution No. 135 --** Memorials, Academic Achievement -- Shelly Lorraine Coutts, Salutatorian Gordonsville High School. by \*Rochelle.

**Senate Joint Resolution No. 136 --** Memorials, Academic Achievement -- Jennifer Gaylord, Valedictorian, Smith County High School. by \*Rochelle.

**Senate Joint Resolution No. 137** -- Memorials, Academic Achievement -- Lesa JoAnn Graves, Salutatorian, Smith County High School. by \*Rochelle.

**Senate Joint Resolution No. 138** -- Memorials, Heroism -- Ben Johnson, World War II. by \*Rochelle.

#### RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for April 3, 1995:

**House Resolution No. 40** -- Memorials, Personal Occasion--Steve and Renee Dail, Tenth wedding anniversary. by \*Williams (Union).

**House Resolution No. 41** -- General Assembly, Statement of Intent or Position--Commemorates 75th anniversary of passage of 19th Amendment to the U.S. Constitution providing for women's suffrage; creates special house committee to meet on August 18, 1995, for purpose of commemorating such occasion. by \*DeBerry L, \*Chumney, \*Purcell, \*McMillan, \*Eckles, \*Hassell, \*Bowers, \*Pruitt, \*Jones, S., \*Halteman Harwell, \*Brooks, \*Duer, \*Langster, \*Brown, \*Beavers, \*Turner (Hamilton).

**House Joint Resolution No. 200** -- Memorials, Personal Achievement--Louise Franklin, First Lady of Loudon County. by \*Gunnels.

**House Joint Resolution No. 201** -- Memorials, Personal Occasion--Howard and Irene Garey, 65th wedding anniversary. by \*Rinks.

#### SENATE JOINT RESOLUTIONS (Congratulatory and Memorializing)

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for April 3, 1995:

**Senate Joint Resolution No. 126** -- Memorials, Death -- Herbert Dean "Buck" Ross. by \*Henry, \*Atchley, \*Burks, \*Carter, \*Cohen, \*Cooper, \*Crowe, \*Crutchfield, \*Dixon, \*Elsea, \*Ford J, \*Fowler, \*Gilbert, \*Hamilton, \*Harper, \*Haun, \*Haynes, \*Holcomb, \*Jordan, \*Koella, \*Kyle, \*Leatherwood, \*McNally, \*Miller J, \*O'Brien, \*Person, \*Rice, \*Rochelle, \*Springer, \*Wallace, \*Wildner, \*Womack, \*Wright.

**Senate Joint Resolution No. 129** -- Memorials, Death -- Richard M. "Pek" Gunn, Tennessee Poet Laureate. by \*Springer, \*Henry, \*O'Brien, \*Harper, \*Rochelle, \*Cohen.

**Senate Joint Resolution No. 133** -- Memorials, Public Service -- UPS Foundation for grant to Memphis Food Bank; West Tennessee District UPS employees for charitable contributions. by \*Dixon, \*Kyle, \*Cohen.

**Senate Joint Resolution No. 134** -- Memorials, Academic Achievement -- Amanda Leckner, Valedictorian, Gordonsville High School. by \*Rochelle.

**Senate Joint Resolution No. 135** -- Memorials, Academic Achievement -- Shelly Lorraine Coutts, Salutatorian Gordonsville High School. by \*Rochelle.

**Senate Joint Resolution No. 136** -- Memorials, Academic Achievement -- Jennifer Gaylord, Valedictorian, Smith County High School. by \*Rochelle.

**Senate Joint Resolution No. 137** -- Memorials, Academic Achievement -- Lesa JoAnn Graves, Salutatorian, Smith County High School. by \*Rochelle.

**Senate Joint Resolution No. 138** -- Memorials, Heroism -- Ben Johnson, World War II. by \*Rochelle.

#### INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

**House Bill No. 1866** -- Crockett County--Subject to local approval, repeals purchasing commission law. Repeals Chapter 806 of the Private Acts of 1937. by \*Cole (Dyer).

#### SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill:

**\*Senate Bill No. 9** -- DUI/DWI Offenses -- Authorizes judge to sentence second offense DUI offender to work release program if county has, by two-thirds vote of legislative body, adopted and established such program in accordance with specified guidelines. Amends TCA 41-2-128. by \*Kyle.

**Senate Bill No. 75** -- Motor Vehicles, Titling and Registration -- Permits alumnus of University of Alabama to purchase special license plate denoting University of Alabama logo and colors. Amends TCA Title 55, Chapter 4. by \*Henry.

**\*Senate Bill No. 948** -- Animals -- Authorizes any agent of a humane society to institute criminal charges against any person who violates the laws pertaining to cruelty to animals; present law authorizes such agents within county in which appointed by president of society to make arrest and bring offenders before court. Amends TCA Title 39, Chapter 14, Part 2. by \*Rochelle, \*Rice.

**\*Senate Bill No. 1265** -- Motor Vehicles, Titling and Registration -- Requires Tennessee district exchange club members to order at least 100 registration plates before any such plate is issued. Amends TCA Title 55, Chapter 4, Part 2. by \*Cohen, \*Kyle.

#### HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

House Bill No. 1864 -- Manchester -- Local Bill Held on House Desk

House Bill No. 1865 -- Oakdale -- Local Bill Held on House Desk

COMMITTEE ON CALENDAR AND RULES  
March 30, 1995

The Committee set the following bills on the **Regular Calendar** for **April 3, 1995**: House Bill(s) No(s). 853, 1030, 1217, 1218, 1465, 1344, 1790, 1496, 1495 and 1544.

The Committee set the following bill(s) and/or resolution(s) on the **Regular Calendar** for **April 5, 1995**: House Bill(s) No(s). 89, 90, 1491 and 137.

The Committee set the following bill(s) and/or resolution(s) on the **Consent Calendar** for **April 3, 1995**: House Bill(s) No(s). 1340, 950, 570 and 1454; Senate Joint Resolution(s) No(s). 110.

CONSENT CALENDAR

\*House Joint Resolution No. 133 -- Naming and Designating -- Designates Margaret "Maggi" Britton Vaughn as Poet Laureate of Tennessee. by \*Phillips, \*Robinson.

House Joint Resolution No. 176 -- Naming and Designating -- "Juanita Holloway Day," April 1, 1995. by \*Brown.

House Joint Resolution No. 189 -- Memorials, Public Service -- Colonel Aubrey W. Anderson, Tennessee National Guard. by \*Phillips, \*Fowlkes.

House Joint Resolution No. 190 -- Memorials, Sports--1994-1995 Lawrence County High School boys' basketball team. by \*White.

House Joint Resolution No. 191 -- Memorials, Sports--1994-1995 E. O. Coffman Middle School girls' basketball team, winner of James C. Hale State Tournament. by \*White.

House Joint Resolution No. 192 -- Memorials, Sports--1994-1995 E. O. Coffman Middle School boys' basketball team. by \*White.

House Joint Resolution No. 193 -- Memorials, Public Service -- Former Germantown Mayor Charles Salvaggio, Lions Club "Citizen of the Year". by \*Shirley, \*Haley, \*Hassell.

House Joint Resolution No. 194 -- Memorials, Sports--Jay Hood, Germantown High School baseball player. by \*Shirley, \*Byrd.

House Joint Resolution No. 195 -- Memorials, Retirement--Harry Shelly, Vice Mayor and Alderman, Middleton. by \*Walley.

**House Joint Resolution No. 196** -- Memorials, Retirement--Henry Seever, Fire Chief of Middleton. by \*Walley.

**House Joint Resolution No. 197** -- Memorials, Death--Mac H. Felts. by \*Davidson.

**House Joint Resolution No. 199** -- Memorials, Professional Achievement--Paul Bolden; Memphis Light, Gas, and Water Project MAX spokesperson. by \*Miller L, \*Towns, \*Bowers, \*Jones U (Shelby), \*DeBerry J, \*Jones R (Shelby), \*Turner (Shelby), \*Byrd, \*Brooks, \*DeBerry L, \*Haley.

**OBJECTION -- CONSENT CALENDAR**

Objection(s) was/were filed to the following on the Consent Calendar:

**House Joint Resolution No. 193:** by Rep. Head.

Under the rules, House Joint Resolution No. 193 was/were placed at the foot of the calendar for April 3, 1995.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes .....	95
Noes .....	0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kernell, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winingham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

**REGULAR CALENDAR**

**\*House Bill No. 93** -- Motor Vehicles, Titling and Registration -- Permits alumnus of University of Alabama to purchase special license plate denoting University of Alabama logo and colors. Amends TCA Title 55, Chapter 4. by \*Odom (SB75 by \*Henry).

Further consideration of House Bill No. 93, previously considered on March 2, 1995, March 9, 1995, and March 30, 1995, and reset for today's Calendar.

Rep. Odom moved that House Bill No. 93 be reset to the Calendar for Thursday, April 13, 1995, which motion prevailed.

**House Bill No. 1354** -- Juvenile Offenders -- Allow juvenile court to require juvenile offenders to attend alternative school. Amends TCA Title 37, Chapter 1 and Title 49, Chapter 6. by \*Phelan, \*Cole (Dyer), \*Rinks, \*McKee, \*Westmoreland, \*White, \*Fitzhugh, \*Pinion, \*Roach (\*SB1571 by \*Cooper).

Further consideration of House Bill No. 1354, previously considered on March 27, 1995, and reset for today's Calendar.

Rep. Phelan moved that House Bill No. 1354 be passed on third and final consideration.

Rep. Phelan moved adoption of Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 1354 by deleting from the amendatory language in Section 1 of the printed bill, the language "where available," and by substituting instead the language "where the local superintendent has certified to the court that space is available for a child of that age and grade level,".

AND FURTHER AMEND by deleting the last sentence from the amendatory language of Section 2 of the printed bill, and by substituting instead the following:

The final decision of such removal shall be made by the local board of education, or an administrator to whom the board has delegated such authority. Any child so removed shall be returned to the authority of the juvenile court.

Rep. Phelan requested that House Bill No. 1354 be moved down five places on the Calendar, which motion prevailed.

**House Bill No. 1401** -- Pensions and Retirement Benefits -- Deletes termination date of June 30, 1995 for determining increases in annual earnable compensation for members covered by noncontributory provisions of TCRS. Amends TCA Section 8-34-101(4)(B)(i). by \*Rhinehart, \*Jones U (Shelby), \*Kisber, \*Armstrong, \*McDaniel, \*Williams (Union), \*West, \*Huskey, \*Kent, \*Bowers, \*McKee, \*Roach, \*Odom (\*SB1039 by \*Rochelle).

Rep. Rhinehart moved that House Bill No. 1401 be passed on third and final consideration.

Rep. Rhinehart moved adoption of Council on Pensions and Insurance Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 1401 by deleting the amendatory and directory language in Sections 1 and 2 in their entirety and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 8-34-101(4)(B)(i), is amended by deleting from the third sentence thereof the figure "1995" and by substituting instead the figure "1996".

SECTION 2. Implementation of the provisions of this act shall be subject to the funding being provided in the general appropriations act.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Rep. Rhinehart moved that **House Bill No. 1401**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 94  
Noes ..... 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kernell, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

**House Bill No. 989** -- Alcoholic Beverages -- Expands hotel authority to make gifts to registered guests of alcoholic beverages other than present authority for only wine. Amends TCA Section 57-4-203. by \*West, \*DeBerry L, \*Langster, \*Armstrong (\*SB791 by \*Haynes, \*Harper).

On motion, House Bill No. 989 was made to conform with **Senate Bill No. 791**; the Senate Bill was substituted for the House Bill.

Rep. West moved that **Senate Bill No. 791** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 54  
Noes ..... 32  
Present and not voting ..... 4

Representatives voting aye were: Armstrong, Arriola, Bell, Bittle, Bowers, Bragg, Buck, Byrd, Cantrell, Chumney, Cole (Carter), Cole (Dyer), Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Fitzhugh, Fowlkes, Garrett, Givens, Halteman Harwell, Hargrove, Hassell, Hicks, Huskey, Jones, R. (Shelby), Jones, S., Jones, U.



(Shelby), Kernell, Langster, McAfee, McKee, McMillan, Miller, Napier, Odom, Phelan, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Stamps, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Venable, West, Westmoreland, Williams (Williamson), Mr. Speaker Naifeh -- 54.

Representatives voting no were: Beavers, Boyer, Burchett, Callicott, Clabough, Cross, Curtiss, Dunn, Gunnels, Haley, Herron, Joyce, Lewis, McDaniel, McDonald, Newton, Patton, Peach, Phillips, Pinion, Rinks, Ritchie, Roach, Sharp, Stulce, Walley, White, Whitson, Williams (Union), Windle, Winningham, Wood -- 32.

Representatives present and not voting were: Brooks, Brown, Eckles, Ford -- 4.

A motion to reconsider was tabled.

#### REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from aye to no on Senate Bill No. 791 and have this statement entered in the Journal: Rep(s). McAfee.

#### REGULAR CALENDAR, CONTINUED

**House Bill No. 856** -- Psychologists -- Directs board of examiners in psychology to designate as health service provider persons who holds PhD in education; possesses 3,900 hours of clinical experience; is national board certified counselor; has been practicing in Tennessee for at least 6 years and was licensed by board on 7/15/92 with declared specialty area other than school, clinical or counseling psychology. Amends TCA Sections 63-11-222 and 223. by \*Ritchie, \*Armstrong, \*Burchett, \*Boyer, \*Bittle, \*Dunn, \*Tindell (\*SB471 by \*Atchley, \*Haynes).

On motion, House Bill No. 856 was made to conform with **Senate Bill No. 471**; the Senate Bill was substituted for the House Bill.

Rep. Ritchie moved that Senate Bill No. 471 be passed on third and final consideration.

Rep. Byrd moved adoption of Health and Human Resources Committee Amendment No. 1 as follows:

#### Amendment No. 1

AMEND Senate Bill No. 471 by deleting the word " and" at the end of Section 1, subdivision (b) (4); by changing the period at the end of subdivision (b) (5) to a semi-colon and adding the word " and" ; and by adding the following language as a new subdivision (b) (6):

(6) has submitted to the board an application for such designation by December 31, 1994.

On motion, Amendment No. 1 was adopted.

Rep. Ritchie moved that **Senate Bill No. 471**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 93  
 Noes ..... 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kernell, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 93.

A motion to reconsider was tabled.

**\*House Bill No. 315** -- Taxes -- Reenacts statutory language to compromise and settle tax liens, special assessments and other similar liens, on insolvent property. Amends TCA Title 67, Chapter 5. by \*Ritchie, \*Boyer (SB1074 by \*Crutchfield).

Rep. Ritchie moved that House Bill No. 315 be passed on third and final consideration.

Rep. Jones R (Shelby) moved adoption of State and Local Government Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 315 by adding at the end of Section 1 the following:

Section 67-5-2607. The provisions of this part shall not apply in counties having a population, according to the 1990 federal census or any subsequent federal census of:

not less than  
 285,000

nor more than  
 286,000

AND FURTHER AMEND by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section \_\_\_\_\_. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

On motion, Amendment No. 1 was adopted.

Rep. Ritchie moved that **House Bill No. 315**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 92  
Noes ..... 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kernell, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Sharp, Shirley, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 92.

A motion to reconsider was tabled.

#### REQUEST TO CHANGE VOTE

Pursuant to Rule No. 31, the following member(s) desire to change their original stand from not voting to aye on House Bill No. 315 and have this statement entered in the Journal: Rep(s). Brooks and Stamps.

#### REGULAR CALENDAR, CONTINUED

**House Bill No. 1175** -- Taxes, Assessment -- Permits landowner to apply for classification of land as wetlands; if assessor determines land is wetlands, assessor shall classify and include it as such on county tax roll . Amends TCA Title 67, Chapter 5. by \*Walley, \*Phelan, \*Haley (\*SB1494 by \*Carter) .

Rep. Walley moved that House Bill No. 1175 be passed on third and final consideration.

Rep. Jones R (Shelby) moved adoption of State and Local Government Committee Amendment No. 1 as follows:

#### Amendment No. 1

AMEND House Bill No. 1175 by deleting Section 1 in its entirety, and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 67-5-602(b), is amended by inserting the following as a new subsection (7) and by renumbering subsequent subsections accordingly:

(7) Inundated wetlands;

Rep. Buck moved the previous question on Amendment No. 1, which motion prevailed.

On motion, Amendment No. 1 was adopted.

Rep. Walley moved that **House Bill No. 1175**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 94  
Noes ..... 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Maltzman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kernell, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

**House Bill No. 1314** -- Parks, Natural Areas Preservation -- Removes right of persons over 65 to play golf for free on Mondays on state park courses operated by private management company or municipal or county government with direct financial risk in operations of course. Amends TCA Title 11, Chapter 3, Part 1. by \*Walley (\*SB986 by \*Wilder).

On motion, House Bill No. 1314 was made to conform with **Senate Bill No. 986**; the Senate Bill was substituted for the House Bill.

Rep. Walley moved that Senate Bill No. 986 be passed on third and final consideration.

Rep. Walley moved that Senate Bill No. 986 be reset to the Calendar for April 3, 1995, which motion prevailed.

**House Bill No. 1354** -- Juvenile Offenders -- Allow juvenile court to require juvenile offenders to attend alternative school. Amends TCA Title 37, Chapter 1 and Title 49, Chapter 6. by \*Phelan, \*Cole (Dyer), \*Rinks, \*McKee, \*Westmoreland, \*White, \*Fitzhugh, \*Pinion, \*Roach (\*SB1571 by \*Cooper).

Further consideration of House Bill No. 1354, previously considered on today's Calendar.

Rep. Phelan renewed his motion that Amendment No. 1 be adopted.

On motion, Amendment No. 1 was adopted.

Rep. Phelan moved that House Bill No. 1354 be passed on third and final consideration.

Rep. Rigsby moved the previous question, which motion failed by the following vote:

Ayes ..... 55  
Noes ..... 31

Representatives voting aye were: Armstrong, Arriola, Bell, Bird, Boyer, Bragg, Buck, Burchett, Byrd, Cantrell, Chumney, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davis, Duer, Dunn, Eckles, Fitzhugh, Garrett, Givens, Gunnels, Halteman Harwell, Hassell, Head, Herron, Hicks, Huskey, Joyce, Kisber, McAfee, McKee, McMillan, Patton, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Ridgeway, Rigsby, Rinks, Roach, Sharp, Stulce, Tindell, Turner (Hamilton), West, Westmoreland, White, Whitson, Williams (Union), Wood -- 55.

Representatives voting no were: Beavers, Bittle, Bowers, Brooks, Brown, Callicott, Clabough, Davidson, DeBerry, L., Ford, Fowlkes, Haley, Hargrove, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Kernell, Langster, McDaniel, McDonald, Miller, Newton, Odom, Peach, Rhinehart, Ritchie, Shirley, Stamps, Turner (Shelby), Windle, Winningham -- 31.

Rep. Phelan moved that House Bill No. 1354 be passed on third and final consideration.

Rep. Turner(Hamilton) moved the previous question, which motion failed by the following vote:

Ayes ..... 54  
Noes ..... 31

Representatives voting aye were: Armstrong, Arriola, Bell, Bird, Boyer, Bragg, Buck, Burchett, Byrd, Cantrell, Chumney, Cole (Carter), Cole (Dyer), Duer, Dunn, Eckles, Fitzhugh, Garrett, Givens, Gunnels, Halteman Harwell, Hassell, Herron, Hicks, Huskey, Joyce, Kisber, Langster, McAfee, McMillan, Patton, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rigsby, Rinks, Ritchie, Roach, Sharp, Shirley, Stulce, Turner (Hamilton), Walley, West, Westmoreland, White, Whitson, Williams (Union), Windle, Winningham, Wood -- 54.

Representatives voting no were: Beavers, Bittle, Bowers, Brooks, Brown, Callicott, Clabough, Coffey, Curtiss, Davidson, Ford, Fowlkes, Haley, Hargrove, Head, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Kernell, Lewis, McDaniel, McDonald, McKee, Miller, Newton, Odom, Peach, Rhinehart, Stamps, Turner (Shelby), Venable -- 31.

At the request of Rep. Davidson, Rep. Phelan moved that House Bill No. 1354 be reset to the Calendar for Wednesday, April 5, 1995, which motion prevailed.

**House Bill No. 888** -- Libraries -- Clarifies law to allow library boards to charge reasonable fees for late returned materials, photocopying and lending equipment. Amends TCA 10-3-108. by \*Burchett (\*SB1432 by \*Gilbert,\*McNally, \*Atchley).

Rep. Burchett moved that House Bill No. 888 be passed on third and final consideration.

Rep. Jones R (Shelby) moved adoption of State and Local Government Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 888 by inserting the language ", fees for video or magnetic tape cassette rental," in the amendatory language of Section 1 between the word "equipment" and the words "and fees".

On motion, Amendment No. 1 was adopted.

Rep. Gunnels moved the previous question, which motion prevailed.

Rep. Burchett moved that **House Bill No. 888** be passed on third and final consideration, which motion failed by the following vote:

Ayes .....	49
Noes .....	26
Present and not voting .....	10

Representatives voting aye were: Beavers, Bird, Bittle, Bowers, Boyer, Buck, Burchett, Byrd, Callicott, Cantrell, Clabough, Coffey, Cole (Carter), Cole (Dyer), Davis, DeBerry, J., Duer, Dunn, Ford, Fowlkes, Gunnels, Haley, Halteman Harwell, Hassell, Hicks, Huskey, Jones, R. (Shelby), Joyce, Kernell, McAfee, McDaniel, Newton, Patton, Peach, Phillips, Pruitt, Ramsey, Roach, Sharp, Shirley, Stamps, Stulce, Towns, Venable, Walley, Westmoreland, Whitson, Williams (Union), Wood -- 49.

Representatives voting no were: Bragg, Brooks, Brown, Cross, Curtiss, Davidson, Eckles, Fitzhugh, Garrett, Hargrove, Herron, Lewis, McKee, McMillan, Odom, Phelan, Purcell, Ridgeway, Rigsby, Rinks, Ritchie, West, White, Williams (Williamson), Windle, Winningham -- 26.

Representatives present and not voting were: Armstrong, DeBerry, L., Head, Kisber, McDonald, Pinion, Rhinehart, Turner (Hamilton), Turner (Shelby), Mr. Speaker Naifeh -- 10.

Having failed to receive a constitutional majority, **House Bill No. 888**, was re-referred to the Calendar and Rules Committee.

**MESSAGE FROM THE SENATE**  
**March 30, 1995**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1504 passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**Senate Bill No. 1504** -- Land, Agricultural and Open Spaces -- Retains greenbelt classification for property which decreases below 15 acre minimum if decrease in acreage is due to eminent domain. Amends TCA Title 67, Chapter 5, Part 10. by \*Jordan, \*Rochelle.

**REGULAR CALENDAR, CONTINUED**

\***House Bill No. 1134** -- Land, Agricultural and Open Spaces -- Retains greenbelt classification for property which decreases below 15 acre minimum if decrease in acreage is due to eminent domain. Amends TCA Title 67, Chapter 5, Part 10. by \*Callicott (SB1504 by \*Jordan).

On motion, House Bill No. 1134 was made to conform with **Senate Bill No. 1504**; the Senate Bill was substituted for the House Bill.

Rep. Callicott moved that Senate Bill No. 1504 be passed on third and final consideration.

Rep. Jones R (Shelby) moved adoption of State and Local Government Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND Senate Bill No. 1504 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 67-5-1008, is amended by adding the following sentence at the end of subsection (e) (2):

The remaining portion of such land shall not be disqualified from use value classification under this part solely because it is made too small to qualify as the result of the involuntary proceeding, so long as the ownership of the land remains unchanged.

SECTION 2. Tennessee Code Annotated, Section 67-5-1008, is further amended by deleting subsection (c) (2) (C), and by substituting instead the following:

(C) The capitalization rate shall be determined by dividing total farm real estate interest expense by total farm real estate debt as published for Tennessee by the Tennessee Agricultural Statistics Service or its successor, for the most recent year available. The rate may be adjusted by no more than one hundred (100) basis points to differences in land classes within a jurisdiction.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it, and shall apply beginning with the 1996 tax year except that Section 1 shall also apply to the 1995 tax year.

On motion, Amendment No. 1 was adopted.

Rep. Callicott moved that **Senate Bill No. 1504**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 86  
Noes ..... 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kernell, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Newton, Odom, Patton, Phillips, Pinion, Purcell, Ramsey, Rhinehart, Ridgeway, Ritchie, Roach, Sharp, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Venable, Walley,

West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 86.

A motion to reconsider was tabled.

**House Bill No. 1487** -- Attorney General and Reporter -- Permits attorney general to appoint outside counsel to represent state employees who are sued in course of employment; permits compensation of outside counsel when state employee is charged criminally in course of employment. Amends TCA Title 8, Chapter 42. by \*McMillan (\*SB1547 by \*Rochelle).

Rep. McMillan moved that House Bill No. 1487 be passed on third and final consideration.

Rep. Givens moved adoption of Amendment No. 1, which was then immediately withdrawn.

Rep. McMillan moved that **House Bill No. 1487** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	88
Noes .....	0

Representatives voting aye were: Armstrong, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Halteman, Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kernell, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Newton, Odom, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Sharp, Stamps, Stulce, Towns, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 88.

A motion to reconsider was tabled.

**\*House Bill No. 584** -- Agriculture -- Enacts "Tennessee International Trade and Export Development for Agricultural Products Act of 1995." Amends TCA Title 13, Chapter 27. by \*McDonald, \*Curtiss, \*Davidson, \*Ramsey, \*Givens, \*Phelan, \*Bell, \*Newton, \*Fowlkes, \*White, \*Stamps, \*Fitzhugh, \*Callicott, \*Roach, \*Head, \*Hargrove, \*Williams (Union), \*Boyer, \*Bragg, \*Lewis, \*Duer, \*Turner (Hamilton), \*Ridgeway, \*Stulce, \*Davis, \*Patton (SB684 by \*Wright).

Rep. McDonald moved that House Bill No. 584 be passed on third and final consideration.

Rep. McDonald moved that Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Bell moved adoption of Agriculture Committee Amendment No. 1 as House Amendment No. 2 as follows:

**Amendment No. 2**



AMEND House Bill No. 584 by deleting all language following the enacting clause and by substituting instead the following:

Section 1. Tennessee Code Annotated, Section 13-27-202, is amended by deleting the section in its entirety and by substituting instead the following:

As used in this part, unless the context otherwise requires, "small and medium-sized businesses or companies" means those companies or farms with sales not exceeding twenty-five million dollars (\$25,000,000), seeking to enter foreign markets.

Section 2. Tennessee Code Annotated, Section 13-27-203(3), is amended by adding the following new subdivisions:

- (E) Farmer with export experience; and
- (F) Agribusiness export trading operation.

Section 3. Tennessee Code Annotated, Section 13-27-204, is amended by deleting items (1), (2) and (3) in their entirety and by substituting instead the following:

(1) Serve as an advocate for promoting and obtaining programs and services that will enable small and medium-sized companies and farms to enter and compete in foreign markets and disseminate pertinent information to the business, agricultural, and financial community;

(2) Receive reports from export trade office of the department of economic and community development and the division of marketing of the department of agriculture;

(3) Provide for a mutual exchange of ideas and information on international, national, state and local level and attempt to make Tennessee products competitive in international markets by encouraging efforts in education, finance, insurance, transportation, and promotion;

Section 4. Tennessee Code Annotated, Section 13-27-205, is amended by deleting the section in its entirety and by substituting instead the following:

The director of the export trade office of the department of economic and community development shall serve as executive secretary to the advisory council. The director of the division of marketing of the department of agriculture shall assist the executive secretary in his assigned responsibilities relative to the advisory council.

Section 5. Tennessee Code Annotated, Section 13-27-206, is amended by deleting subsection (b) in its entirety and by substituting instead the following:

(b) The advisory council is administratively attached to the department of economic and community development, but for all purposes other than administration is considered independent.

Section 6. Tennessee Code Annotated, Section 13-27-207, is amended by deleting the section in its entirety and by substituting instead the following:

The commissioners of the department of economic and community development and department of agriculture are urged to seek additional funding resources and to create additional positions within the export trade office and the division of marketing to implement a sound comprehensive export development strategy, which will include the addition of export trade specialists. Such strategy includes the elements of education, counseling, promotion, and interagency cooperative efforts.

Section 7. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 2 was adopted.

Rep. McDonald moved that **House Bill No. 584**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	88
Noes .....	0
Present and not voting .....	1

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Gunnels, Halteman, Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jones, R. (Shelby), Jones, S., Joyce, Kernell, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Sharp, Shirley, Stamps, Stulce, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winingham, Wood, Mr. Speaker Naifeh -- 88.

Representatives present and not voting were: Givens -- 1.

A motion to reconsider was tabled.

#### REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from present and not voting to aye on House Bill No. 584 and have this statement entered in the Journal: Rep(s). Givens.

#### REGULAR CALENDAR, CONTINUED

**House Bill No. 643** -- Traffic Safety -- Increases age of required use of child passenger restraint system from four to 12 years; deletes exception of mandatory child restraint for nursing mothers. Amends TCA Section 55-9-602. by \*Herron, \*Robinson, \*Tindell, \*Ritchie, \*Haley (\*SB730 by \*Cooper).

On motion, House Bill No. 643 was made to conform with **Senate Bill No. 730**; the Senate Bill was substituted for the House Bill.

Rep. Herron moved that Senate Bill No. 730 be passed on third and final consideration.

On motion, Rep. Fowlkes withdrew Transportation Committee Amendment No. 1.

On motion, Rep. Fowlkes withdrew Transportation Committee Amendment No. 2.

Rep. Fowlkes moved adoption of Transportation Committee Amendment No. 3 as follows:

**Amendment No. 3**

AMEND Senate Bill No. 730 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section \_\_\_\_ . Tennessee Code Annotated, Section 55-9-602, is amended by adding the following as a new subsection to be appropriately designated:

( ) If all seat belts or other passenger restraints in a passenger motor vehicle originally provided by the manufacturer are occupied, no fine shall be imposed on a person pursuant to the provisions of this act for the failure of a child four (4) years of age through twelve (12) years of age, inclusive, in the back seat to properly use a passenger restraint system.

On motion, Amendment No. 3 was adopted.

Rep. Herron moved that **Senate Bill No. 730**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	76
Noes .....	12
Present and not voting .....	1

Representatives voting aye were: Armstrong, Arriola, Bird, Bittle, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Halteman Harwell, Hassell, Head, Herron, Hicks, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kernell, Kisber, Langster, Lewis, McAfee, McDonald, McKee, McMillan, Miller, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Stamps, Stulce, Turner (Hamilton), Turner (Shelby), Venable,

Walley, West, White, Williams (Union), Williams (Williamson), Windle, Winningham, Mr. Speaker Naifeh -- 76.

Representatives voting no were: Beavers, Bell, Bowers, Boyer, Clabough, McDaniel, Peach, Sharp, Shirley, Towns, Whitson, Wood -- 12.

Representatives present and not voting were: Rhinehart -- 1.

A motion to reconsider was tabled.

#### REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from aye to no on Senate Bill No. 730 and have this statement entered in the Journal: Rep(s). Phillips.

#### REGULAR CALENDAR, CONTINUED

**House Bill No. 930** -- Forest and Forest Products -- Permits use of nylon straps of equivalent tensile strength to minimum chain or cable requirements to secure loads of timber, pulpwood or logs hauled by semis with rated capacity of more than 3/4 ton. Amends TCA 55-7-107. by \*Pinion, \*Fitzhugh, \*White (\*SB298 by \*Hamilton).

Rep. Pinion moved that **House Bill No. 930** be passed on third and final consideration, which motion prevailed by following vote:

Ayes .....	94
Noes .....	0
Present and not voting .....	1

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Kernell, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

Representatives present and not voting were: Joyce -- 1.

A motion to reconsider was tabled.

**House Bill No. 1201** -- Regional Authorities -- Provides for selection of regional planning commission for planning region consisting of single county. Amends TCA Section 13-3-101. by \*Fowlkes, \*Callicott, \*Pinion, \*Curtiss, \*Ford S, \*Beavers, \*Patton, \*Hicks (\*SB923 by \*Womack).

On motion, House Bill No. 1201 was made to conform with **Senate Bill No. 923**; the Senate Bill was substituted for the House Bill.

Rep. Fowlkes moved that **Senate Bill No. 923** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 91  
Noes ..... 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kernell, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Newton, Odom, Patton, Phelan, Phillips, Pinion, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 91.

A motion to reconsider was tabled.

**\*House Joint Resolution No. 14** -- Constitutional Amendments -- Proposes amendment establishing constitutional rights for victims of crime and authorizing general assembly to enact legislation to define, enforce, implement and protect such rights. by \*Herron, \*Ridgeway, \*Pinion, \*Curtiss, \*Fitzhugh, \*McDonald, \*West, \*Shirley, \*Haley, \*Miller L, \*Williams (Union), \*Hassell, \*Tindell, \*DeBerry J, \*Halteman Harwell, \*Lewis, \*Walley, \*Byrd, \*Ford S, \*Purcell, \*Givens, \*Westmoreland, \*Chumney, \*McMillan, \*Windle, \*Bird, \*Peach, \*Stamps, \*Cross, \*Williams (Williamson), \*Boyer, \*Kisber, \*White, \*Jackson, \*McDaniel, \*Kernell, \*McKee, \*Roach, \*Buck.

Further consideration of House Joint Resolution No. 14 previously considered on March 27, 1995, March 29, 1995 and March 30, 1995, and reset for today's Calendar.

Rep. Herron asked the Clerk to read the resolution for the third Constitutional reading.

The Clerk read the resolution for the third Constitutional reading.

Rep. Herron moved that House Joint Resolution No. 14 be adopted.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Joint Resolution No. 14 by deleting from the first resolving clause the following language:

Victims of crime shall be entitled to the following  
basic rights:  
and substituting instead the following language:

To preserve and protect the rights of victims of crime  
to justice and due process, victims shall be entitled  
to the following basic rights:

FURTHER AMEND by deleting from the first resolving clause  
the following numbered item:

1. The right to justice and due process.

and by renumbering subsequent numbered items accordingly.

On motion, Amendment No. 1 was adopted.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 2  
as follows:

**Amendment No. 2**

AMEND House Joint Resolution No. 14 by deleting from the  
first resolving clause the following numbered item:

5. The right to be heard at all critical stages of  
the case.

and substituting instead the following new numbered item:

5. The right to be heard, when relevant, at all  
critical stages of the criminal justice process as  
defined by the General Assembly.

On motion, Amendment No. 2 was adopted.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 3  
as follows:

**Amendment No. 3**

AMEND House Joint Resolution No. 14 by adding the following  
new resolving clauses immediately preceding the final resolving  
clause:

BE IT FURTHER RESOLVED, That the general assembly has  
the authority to enact laws to provide that a judge, attorney  
for the state, law enforcement officer or law enforcement  
agency is not liable for a failure or inability to provide a  
right enumerated in this section.

BE IT FURTHER RESOLVED, That the failure or inability  
of any person to provide a right or service enumerated in this  
section may not be used by a defendant in a criminal case as  
a ground for appeal, new trial, post-conviction relief or habeas  
corpus nor shall it be construed to authorize a court to set  
aside, reverse, vacate or void a finding of guilt, or an  
acceptance of a plea of guilty in any criminal case.

BE IT FURTHER RESOLVED, That nothing in this section  
shall be construed as creating a cause of action for money

damages against the state, a county, a municipality, or any of the agencies, instrumentalities, or employees thereof. The general assembly has the authority to provide for other remedies to ensure adequate enforcement of this section.

On motion, Amendment No. 3 was adopted.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 4 as follows:

**Amendment No. 4**

AMEND House Joint Resolution No. 14 by deleting numbered item " 7" from the new section added to Article I by the first resolving clause and substituting instead the following new numbered item " 7" :

7. The right to restitution from the offender.

On motion, Amendment No. 4 was adopted.

Rep. Herron moved that **House Joint Resolution No. 14**, as amended, be adopted, which motion prevailed by the following vote:

Ayes ..... 93  
Noes ..... 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kernell, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Wunningham, Wood, Mr. Speaker Naifeh -- 93.

A motion to reconsider was tabled.

**\*House Joint Resolution No. 106 -- Constitutional Amendments -**  
- Deletes constitutional ban on lotteries. by \*Kernell, \*Langster, \*Cantrell, \*Davis, \*Jones, S., \*Pruitt, \*Towns, \*Miller L, \*Chumney, \*Brooks, \*Napier, \*Stamps, \*Odom, \*Head, \*Arriola.

Further consideration of House Joint Resolution No. 106, previously considered on March 23, 1995, March 27, 1995, March 29, 1995 and March 30, 1995, and reset for today's Calendar.

Rep. Kernell asked the Clerk to read the resolution for the third Constitutional reading.

Rep. Kernell moved adoption of House Joint Resolution No. 106.

Rep. Ramsey moved that Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Kernell moved adoption of House Joint Resolution No. 106.

Rep. Jones U (Shelby) moved the previous question, which motion prevailed.

Rep. Kernell moved that **House Joint Resolution No. 106** be adopted, which motion prevailed by the following vote:

Ayes .....	67
Noes .....	20
Present and not voting .....	1

Representatives voting aye were: Armstrong, Bell, Bowers, Bragg, Brooks, Brown, Buck, Callicott, Cantrell, Chumney, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry, J., Duer, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Halteman Harwell, Hargrove, Hassell, Head, Hicks, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Kernell, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Newton, Odom, Patton, Peach, Phelan, Pinion, Pruitt, Purcell, Ridgeway, Rinks, Shirley, Stamps, Stulce, Towns, Turner (Hamilton), Turner (Shelby), Venable, West, Westmoreland, White, Whitson, Williams (Williamson), Windle, Mr. Speaker Naifeh -- 67.

Representatives voting no were: Beavers, Bird, Bittle, Boyer, Burchett, Byrd, Clabough, Coffey, Dunn, Herron, Joyce, Phillips, Ramsey, Ritchie, Roach, Sharp, Walley, Williams (Union), Winningham, Wood -- 20.

Representatives present and not voting were: Rhinehart -- 1.

A motion to reconsider was tabled.

## MESSAGE CALENDAR

### HOUSE ACTION ON SENATE AMENDMENT

**House Bill No. 1097** -- Motor Vehicles, Titling and Registration -- Authorizes special license plates with emblem of Tennessee State Employees Association; requires additional fee of \$25.00 for such special license plates. Amends TCA Title 55, Chapter 4, by \*Fowlkes, \*Robinson, \*Jones U (Shelby), \*Cole (Dyer), \*Odom, \*Williams (Union) (\*SB1044 by \*Springer, \*Atchley, \*Burks, \*Carter, \*Cohen, \*Cooper, \*Crowe, \*Crutchfield, \*Dixon, \*Elsea, \*Ford, \*Fowler, \*Gilbert, \*Hamilton, \*Harper, \*Haun, \*Haynes, \*Holcomb, \*Jordan, \*Koella, \*Kyle, \*Leatherwood, \*McNally, \*Miller, \*O'Brien, \*Person, \*Rice, \*Rochelle, \*Wallace, \*Wilder, \*Womack, \*Wright).

### Senate Amendment No. 1

AMEND House Bill No. 1097 by adding the following as appropriately numbered sections.

Notwithstanding any provision of the law to the contrary, all revenues generated by the sale of this or any other special license plate shall be allocated as provided



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in T.C.A. 55-4-307, unless such funds are otherwise particularly earmarked.

Notwithstanding any provision of law to the contrary, the additional revenues generated by the additional twenty-five dollar (\$25.00) fee for the personalization of this or any other license plate authorized by the part shall be allocated as provided in T.C.A. 55-4-307.

Rep. Fowlkes moved that the House non-concur in Senate Amendment(s) No(s). 1 to **House Bill No. 1097**, which motion prevailed .

**MESSAGE FROM THE SENATE**  
**March 30, 1995**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 971; substituted for Senate Bill(s) on the same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.  
**UNFINISHED BUSINESS**

**NOTICE TO ACT ON SENATE MESSAGES**

Pursuant to the suspension of **Rule No. 59**, notice was given that the following measure(s) from the Senate would be considered on Wednesday, April 5, 1995:

**House Bill No. 971:** Rep. Duer.

**SPONSORS ADDED**

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Bill No. 406:** Rep(s). Tindell and Windle as prime sponsor(s).

**House Bill No. 495:** Rep(s). Cross as prime sponsor(s).

**House Bill No. 1322:** Rep(s). Bowers as prime sponsor(s).

**House Bill No. 1792:** Rep(s). Gunnels as prime sponsor(s).

**SPONSORS REMOVED**

On motion, Rep(s). Naifeh was/were removed as sponsor(s) of **House Bill No. 1752**.

On motion, Rep(s). Buck was/were removed as sponsor(s) of **House Bill No. 922**.

**REPORT OF CHIEF ENGROSSING CLERK**  
**March 30, 1995**

**THURSDAY, MARCH 30, 1995 -- TWENTY-SEVENTH LEGISLATIVE DAY**

The following bill(s) was/were transmitted to the Governor for his action: House Bill(s) No(s). 1146; also, House Joint Resolution(s) No(s). 66 and 179.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**ENROLLED BILLS**

**March 30, 1995**

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bill(s) No(s). 161, 279, 592, 606, 952, 1006 and 1194; House Joint Resolution(s) No(s). 174; also, House Resolution(s) No(s). 38 and 39.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**SIGNED**

**March 30, 1995**

The Speaker signed the following: House Bill(s) No(s). 161, 279, 592, 606, 952, 1006 and 1194; House Joint Resolution(s) No(s). 174; also, House Resolution(s) No(s). 38 and 39.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**SIGNED**

**March 30, 1995**

The Speaker signed the following: Senate Joint Resolution(s) No(s). 121, 124 and 127.

**ENGROSSED BILLS**

**March 30, 1995**

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 176.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**

**March 30, 1995**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 5, 453, 473, 595, 1521, 1630 and 1713; all for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE**

**March 30, 1995**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 161, 279, 592, 606, 952, 1006 and 1194; also, House Joint Resolution(s) No(s). 174; all signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE**

**March 30, 1995**

**THURSDAY, MARCH 30, 1995 -- TWENTY-SEVENTH LEGISLATIVE DAY**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 39, 120, 168, 170, 175, 177 and 178; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.  
**MESSAGE FROM THE SENATE**  
**March 30, 1995**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 176; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**REPORT OF CHIEF ENGROSSING CLERK**  
**March 30, 1995**

The following bill(s) was/were transmitted to the Governor for his action: House Bill(s) No(s). 161, 279, 592, 606, 952, 1006 and 1194; also, House Joint Resolution(s) No(s). 174.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE GOVERNOR**  
**March 30, 1995**

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 366 and 497, with his approval.

HARDY MAYS, Counsel to the Governor.

**ENGROSSED BILLS**  
**March 30, 1995**

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 315, 1175 and 1401; also, House Joint Resolution(s) No(s). 133, 189, 190, 191, 192, 194, 195, 196, 197 and 199.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**SIGNED**  
**March 30, 1995**

The Speaker signed the following: Senate Bill(s) No(s). 5, 453, 473, 595, 1521, 1630 and 1713.

**MESSAGE FROM THE SENATE**  
**March 30, 1995**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1845, 1849 and 1850; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**ENROLLED BILLS**  
**March 30, 1995**

The following bill(s) have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Joint Resolution(s) No(s). 39, 120, 168, 170, 175, 176, 177 and 178.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**SIGNED**

March 30, 1995

The Speaker signed the following: House Joint Resolution(s) No(s). 39, 120, 168, 170, 175, 176, 177 and 178.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**

March 30, 1995

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 218, 491, 803, 864, 964, 1561, 1679 and 1780; all passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**\*Senate Bill No. 218** -- Wine, Wineries -- Increases from 20,000 to 40,000 gallons annual limit of wine that Tennessee wineries may sell at their production premises at retail sale Amends TCA Title 57, Chapter 3, Part 2. by \*O'Brien, \*Henry, \*Rice.

**\*Senate Bill No. 491** -- Sunset Laws -- State textbook commission, June 30, 2003 Amends TCA Title 4, Chapter 29; Title 49, Chapter 6. by \*Haynes.

**\*Senate Bill No. 803** -- Budget Procedures -- Permits direct appropriation grant disbursement only after receipt of plan of activity and approval by commissioner of finance and administration. Amends TCA Title 9, Chapter 6, Part 1. by \*Harper.

**\*Senate Bill No. 864** -- Medical Occupations -- Clarifies that board of electrology does not have authority or jurisdiction to regulate practice of medicine or dermatology or electrologists employed by physicians, dermatologists or osteopaths unless such employed persons are holding themselves out to be licensed electrologists. Amends TCA Title 63, Chapter 26. by \*Henry, \*McNally, \*Atchley, \*Crowe, \*Person.

**Senate Bill No. 964** -- Traffic Safety -- Adds local governmental entities to list of entities that may assess fee for conducting driver improvement course; fee not to exceed \$50.00 and must be conducted by government or 501(c)(3) corporation; no one shall be refused admittance for inability to pay. Amends TCA Section 55-10-301. by \*Haynes.

**\*Senate Bill No. 1561** -- Motor Vehicles, Titling and Registration -- Authorizes issuance of special license plates for graduates of Arkansas State University. Amends TCA Title 55, Chapter 4. by \*Kyle.

**\*Senate Bill No. 1679** -- Motor Vehicles, Titling and Registration -- Expands cultural motor vehicle registration plate promotional campaign to require inclusion of illustration and explanation of each plate in license renewal applications. Amends TCA Title 55, Chapter 4, Part 3. by \*Cohen.

**Senate Bill No. 1780** -- Unemployment Compensation -- Establishes procedures for charging employer's experience rating account in certain circumstances. Amends TCA 50-7-205(a), 207(c)(6), 403(d)(1). by \*Elsea, \*Rice, \*Atchley, \*McNally, \*Miller J.

**ENGROSSED BILLS**  
**March 30, 1995**

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 584, 930 and 1487; also, House Joint Resolution(s) No(s). 14 and 106.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**ENROLLED BILLS**  
**March 30, 1995**

The following bill(s) have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bill(s) No(s). 1845, 1849 and 1850.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**SIGNED**  
**March 30, 1995**

The Speaker signed the following: House Bill(s) No(s). 1845, 1849 and 1850.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**CONSENT CALENDAR**  
**March 30, 1995**

The following local bills have been placed on the Consent Calendar for **April 3, 1995**: House Bill(s) No(s). 1846, 1854, 1855, 1857, 1858, 1859 and 1863.

**ROLL CALL**

The roll call was taken with the following results:

Present ..... 93

Representatives present were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry, J., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kernell, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsay, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 93.

**RECESS MOTION**

On motion of Rep. Purcell, the House recessed until 5:00 p.m., Monday, April 3, 1995.